



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 1

NATIONALITY

10 Right of abode: certificate of entitlement

- (1) The Secretary of State may by regulations make provision for the issue to a person of a certificate that he has the right of abode in the United Kingdom.
- (2) The regulations may, in particular—
 - (a) specify to whom an application must be made;
 - (b) specify the place (which may be outside the United Kingdom) to which an application must be sent;
 - (c) provide that an application must be made in a specified form;
 - (d) provide that an application must be accompanied by specified documents;
 - (e) require the payment of a fee on the making of an application;
 - (f) specify the consequences of failure to comply with a requirement under any of paragraphs (a) to (e) above;
 - (g) provide for a certificate to cease to have effect after a period of time specified in or determined in accordance with the regulations;
 - (h) make provision about the revocation of a certificate.
- (3) The regulations may—
 - (a) make provision which applies generally or only in specified cases or circumstances;
 - (b) make different provision for different purposes;
 - (c) include consequential, incidental or transitional provision.
- (4) The regulations—
 - (a) must be made by statutory instrument, and

Status: Point in time view as at 07/11/2002. This version of this provision has been superseded.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Section 10 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The Immigration Act 1971 (c. 77) shall be amended as follows—
- (a) in section 3(9)(b) (proof of entitlement to right of abode) the words “issued by or on behalf of the Government of the United Kingdom certifying that he has such a right of abode” shall cease to have effect, and
 - (b) in section 33(1) for the definition of “certificate of entitlement” substitute—
 - ““certificate of entitlement” means a certificate under section 10 of the Nationality, Immigration and Asylum Act 2002 that a person has the right of abode in the United Kingdom;”.
- (6) Regulations under this section may, in particular, include provision saving, with or without modification, the effect of a certificate which—
- (a) is issued before the regulations come into force, and
 - (b) is a certificate of entitlement for the purposes of sections 3(9) and 33(1) of the Immigration Act 1971 as those sections have effect before the commencement of subsection (5) above.

Commencement Information

- II** S.10 partly in force; s.10(1)-(4)(6) in force at Royal Assent see s. 162(2); s. 10(5)(b) in force at 21.12.2006 by [S.I. 2006/3144](#), [art. 2](#)

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